

Assembly Bill No. 2973

CHAPTER 590

An act to amend Sections 1010 and 1011 of the Military and Veterans Code, relating to veterans, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 15, 1996. Filed
with Secretary of State September 17, 1996.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2973, Olberg. Veterans' home: administrators.

Existing law establishes a Veterans' Home of California, Yountville, located in Napa County and the Veterans' Home of California, Barstow, located in San Bernardino County. Existing law authorizes the Department of Veterans Affairs to establish and construct additional sites in certain specified counties in southern California. Existing law defines "administrator" for this purpose to mean the administrators of the Yountville and Barstow sites.

This bill would require an administrator at Barstow and at each site of the southern California home, and would make conforming changes.

This bill would declare the second home to be a new state function, and, except for overall management and administration of the home, would declare that the department is authorized to operate the home pursuant to independent contractors. The bill would declare that prior consistent conduct of the department is ratified and confirmed.

This bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. Section 1010 of the Military and Veterans Code is amended to read:

1010. As used in this chapter:

(a) "Home" means the Veterans' Home of California, Yountville, and the Veterans' Home of California, Barstow.

(b) "Administrator" means the Administrator of the Veterans' Home of California, Yountville, and the Administrator of each site of the southern California Veterans' Home, including, but not limited to, the Veterans' Home of California, Barstow.

(c) "Department" means the Department of Veterans Affairs.

(d) "Director" means the Director of Veterans Affairs.

(e) "Veteran" means a member of the home.

SEC. 2. Section 1011 of the Military and Veterans Code is amended to read:

1011. (a) There is in the department a Veterans' Home of California Yountville, situated at Veterans' Home, Napa County.

(b) (1) The department may establish and construct a second home that shall be situated in the County of Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, or Ventura. The home may be located on one or more sites. The department shall operate the second home concurrently with the first home.

(2) When completed, the initial site shall be the Veterans' Home of California Barstow, situated in Barstow, San Bernardino County.

(3) There shall be an administrator for, and located at, each site of the southern California home.

(4) The department may complete any preapplication process necessary with the United States Department of Veterans Affairs for construction of the second home.

(c) The Legislature hereby finds and declares that the second home is a new state function. The department may perform any or all work in operating the second home by independent contractors, except the overall administration and management of the home. Any and all actions of the department taken before the effective date of amendments to this section pursuant to Assembly Bill 2973 of the 1995–96 Regular Session that are consistent with this subdivision are hereby ratified and confirmed, it having at all times been the intent of the Legislature that the department be so authorized.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure that the homes have the capability to meet the health needs of its residents and become fully operational, it is necessary that this act take effect immediately.

